

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR SPECIAL EXCEPTION TO ALLOW THE TEMPORARY PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR UP TO 10 YEARS AT 963 TRIPP ROAD; (JASON & CHRISTINE LESLIE, APPLICANTS).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Earnest McDonald **EXT.** 7430

Agenda Date 06-23-03 **Regular** ☐ **Consent** ☒ **Public Hearing – 6:00** ☐

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION TO ALLOW THE TEMPORARY PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR UP TO 10 YEARS AT 963 TRIPP ROAD; (JASON & CHRISTINE LESLIE, APPLICANTS); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION TO ALLOW THE TEMPORARY PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR UP TO 10 YEARS AT 963 TRIPP ROAD; (JASON & CHRISTINE LESLIE, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #5, McLain)

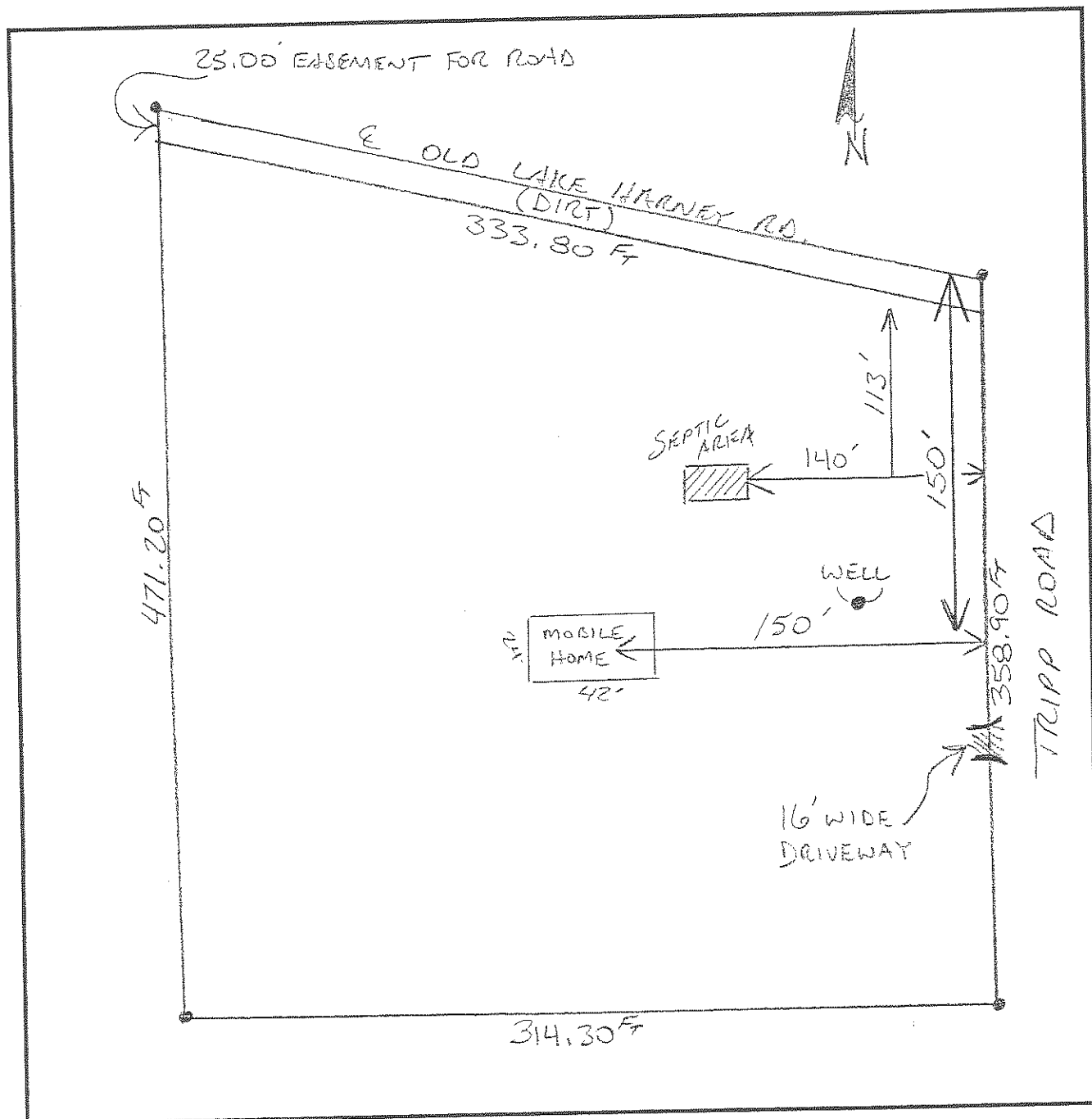
(Earnest McDonald, Principal Coordinator)

GENERAL INFORMATION	JASON & CHRISTINE LESLIE, APPLICANTS 963 TRIPP ROAD GENEVA, FL 32732	A-5 DISTRICT, LDC SECTION 30.103 (A-5 LIMITED USES) & A30.123 (A-1 LIMITED USES)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANTS PROPOSE TO TEMPORARILY OCCUPY A MOBILE HOME IN THE A-5 DISTRICT FOR A PERIOD OF 5 TO 10 YEARS. • THE APPLICANTS PLAN TO EVENTUALLY BUILD A PERMANENT SINGLE-FAMILY DWELLING AT THIS LOCATION. • THE TEMPORARY OCCUPANCY OF A MOBILE HOME IS PERMITTED ONLY BY SPECIAL EXCEPTION IN THE A-5 DISTRICT. 	

ZONING & FLU	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY
	SITE	A-5	RURAL-5	VACANT
	NORTH	A-5	RURAL-5	VACANT
	SOUTH	A-5	RURAL-5	VACANT
	EAST	A-5	RURAL-5	SINGLE-FAMILY & PASTURE
	WEST	A-5	RURAL-5	VACANT
STAFF FINDINGS	<ul style="list-style-type: none"> • THE SUBJECT PROPERTY IS COMPRISED OF APPROXIMATELY 3.00 ACRES AND IS A DEFICIENT LOT UNDER THE CURRENT A-5 MINIMUM LOT STANDARD. • POLICY FLU 11.15 (CODE ENFORCEMENT & IMPLEMENTATION) OF THE COMPREHENSIVE PLAN ALLOWS SUBSTANDARD LOTS & PARCELS OF RECORD ZONED A-5 TO BE DEVELOPED IF THEY EXISTED ON THE EFFECTIVE DATE OF THE 1991 SEMINOLE COUNTY COMPREHENSIVE PLAN, HAVE A FUTURE LAND USE (FLU) OTHER THAN SUBURBAN ESTATES AND CAN MEET ALL OTHER APPLICABLE LAND DEVELOPMENT REGULATIONS. • THE SUBJECT PROPERTY WAS CREATED PRIOR TO THE ADOPTION OF THE COMPREHENSIVE PLAN ON SEPTEMBER 11, 1991. • THE SUBJECT PROPERTY IS NOT LOCATED IN A KNOWN FLOOD PRONE AREA. • THE SUBJECT PROPERTY IS A VACANT TRACT, SURROUNDED BY MOSTLY VACANT, UNDEVELOPED LAND. • FOR THIS REASON, STAFF BELIEVES EITHER THE TEMPORARY OR PERMANENT PLACEMENT OF THE PROPOSED MOBILE HOME WOULD BE CONSISTENT WITH THE LOW-DENSITY, RURAL CHARACTER OF NEARBY AND ADJACENT PROPERTIES IF THE FOLLOWING STANDARDS ARE APPLIED AS REQUIRED BY THE LAND DEVELOPMENT CODE: <ul style="list-style-type: none"> ○ ONLY ONE (1) SINGLE-FAMILY MOBILE HOME SHALL OCCUPY THE SITE FOR A PERIOD NOT TO EXCEED FIVE (5) YEARS. ○ THE PROPOSED MOBILE HOME SHALL BEAR THE FLORIDA STANDARDS SEAL, WHICH WOULD CONFIRM COMPLIANCE WITH STANDARDS PROMULGATED BY THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT. ○ THE PROPOSED MOBILE HOME SHALL CONFORM TO THE MINIMUM DIMENSIONAL STANDARDS OF THE A-5 DISTRICT; BASED ON THE SUBMITTED SITE PLAN, THE PROPOSED USE WOULD COMPLY WITH THOSE STANDARDS. ○ THE APPLICANT SHALL APPLY TO THE SEMINOLE COUNTY HEALTH DEPARTMENT (ENVIRONMENTAL 			

	<p>HEALTH SECTION) FOR AN ON-SITE SEPTIC PERMIT. THE SITING OF THE PROPOSED MOBILE HOME SHALL BE DEPENDENT UPON THE APPROVAL OF THE SAME.</p> <ul style="list-style-type: none">○ THE PROPOSED MOBILE HOME SHALL BE REQUIRED TO CONFORM TO APPLICABLE BUILDING CODES, WHICH INCLUDE STANDARDS FOR ANCHORING AND SKIRTING.
STAFF RECOMMENDATION	<ul style="list-style-type: none">○ THE APPLICANT HAS BEEN ADVISED OF THE STANDARDS FOR THE GRANT OF A SPECIAL EXCEPTION FOR THE PLACEMENT OF A MOBILE HOME IN THE A-5 DISTRICT AND WOULD BE REQUIRED TO COMPLY WITH THE SAME.○ BASED ON THE FINDINGS PRESENTED, STAFF RECOMMENDS APPROVAL OF THIS REQUEST, CONDITIONED UPON THE SITE PLAN SUBMITTED AND CONFORMITY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE.

- Location and name of abutting street or road.
- Location, size and setbacks from property lines for all proposed or existing mobile homes, conventional homes, and accessory structures.
- Location and size of proposed or existing septic system, drain field and well, if applicable.
- The location, size and type of any trees to be removed.
- The type, location and width of all easements on the property.
- The location and width of the existing or proposed driveway access.



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On June 23, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 22 TWP 20S RGE 32E BEG SE COR OF NE ¼ OF NE ¼ RUN W
314.3 FT N 471.2 FT S 71 DEG 21 MIN E 333.5 FT S 358.9 FT TO BEG

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owners: JOHN MCNAMARA
1260 GLEENWOOD ROAD
DELAND, FL 32720

Project Name: 963 TRIPP ROAD

Requested Development Approval:

SPECIAL EXCEPTION TO ALLOW THE TEMPORARY PLACEMENT OF A RECREATIONAL VEHICLE IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR 10 YEARS, AS DEPICTED ON THE ATTACHED SITE PLAN.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Earnest McDonald
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 1. Only one (1) single-family mobile home shall occupy the site for a period not to exceed 10 years;
 2. The proposed mobile home shall bear the Florida Standards Seal;
 3. The proposed mobile home shall conform to the minimum dimensional standards of the A-5 (Rural Zoning Classification District);
 4. An on-site septic permit shall be applied for and obtained, prior to the siting of the proposed mobile home on the subject property; and
 5. The proposed mobile home shall conform to all applicable building codes, the Seminole County Comprehensive Plan, and Land Development Code.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I **HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: